

AMENDMENTS TO THE CLAIMS

1. (Original) A gene recombination vector containing an expression cassette for enhancing photosynthesis activity, comprising a DNA fragment comprising a gene encoding a protein having FBPase and/or SBPase activities between a Rubisco large subunit gene and an acetyl CoA carboxylase subunit gene.

2-5. (Cancelled)

6. (Original) The vector as claimed in claim 1, wherein the protein having FBPase and SBPase activities is any one of the followings:

(a) a protein comprising an amino acid sequence described in SEQ ID NO: 5 of Sequence Listing;

(b) a protein comprising an amino acid sequence in which one or several amino acids are deleted, substituted, added or inserted in SEQ ID NO: 5 of Sequence Listing; and having FBPase and SBPase activities; and

(c) a protein having at least 60% or more homology to an amino acid sequence described in SEQ ID NO: 5 of Sequence Listing; and having FBPase and SBPase activities.

7. (Original) The vector as claimed in claim 1, wherein the gene encoding a protein having FBPase and SBPase activities is a gene comprising any one of the following DNAs;

(a) DNA comprising a nucleotide sequence described in SEQ ID NO: 6 of Sequence Listing;

(b) DNA comprising a nucleotide sequence in which one or several bases are deleted, substituted, added or inserted in SEQ ID NO: 6 of Sequence Listing, and encoding a protein having FBPase and SBPase activities;

(c) DNA which hybridizes with DNA comprising nucleotide sequence complementary to a DNA comprising a nucleotide sequence described in SEQ ID NO: 6 of Sequence Listing under stringent conditions, and comprises a nucleotide sequence encoding a protein having FBPase and SBPase activities; and

(d) DNA having at least 60% or more homology to DNA comprising a nucleotide sequence described in SEQ ID NO: 6 of Sequence Listing, and comprising a nucleotide sequence encoding a protein having FBPase and SBPase activities.

8. (Previously Presented) The vector as claimed in claim 1, wherein the expression cassette has a ribosome-binding site upstream of a translation initiation point of a DNA fragment comprising a gene encoding a protein having FBPase and/or SBPase activities.

9. (Original) The vector as claimed in claim 8, wherein the expression cassette has a promoter upstream of a ribosome-binding site, and a terminator downstream of DNA fragment comprising a gene encoding a protein having FBPase and/or SBPase activities.

10. (Original) The vector as claimed in claim 9, wherein the promoter and the terminator are a promoter and a terminator derived from tobacco chloroplasts, respectively.

11. (Previously Presented) The vector as claimed in claim 1, wherein the Rubisco large subunit gene and the acetyl CoA carboxylase subunit gene are genes derived from tobacco, respectively.

12. (Original) A recombinant gene vector comprising an expression cassette containing a DNA fragment comprising a gene encoding a protein having FBPase and/or SBPase activities between a tobacco-derived Rubisco large subunit gene and an acetyl CoA carboxylase subunit gene, having a ribosome-binding site upstream of a translation initiation point of the DNA fragment, having a tobacco-derived promoter between a Rubisco large subunit gene and a ribosome-binding site, and having a tobacco-derived terminator between the acetyl CoA carboxylase subunit gene and the DNA fragment.

13. (Previously Presented) A transformed chloroplast characterized in that the vector according to claim 1 is introduced into chloroplasts.

14. (Original) A plant containing transformed chloroplasts according to claim 13.

15. (Original) The plant as claimed in claim 14, wherein the plant is tobacco.

16. (Currently Amended) A plant having 2-fold or higher FBPase activity compared to the ~~original one~~ wild variety of said plant, characterized in that a FBPase/SBPase gene is introduced into the chloroplast genome of higher plants and expressed using a chloroplast transformation technique.

17. (Currently Amended) A plant having two-fold or higher enhanced photosynthesis rate as compared with the wild variety of said plant, characterized in that a FBPase/SBPase gene is introduced into the chloroplast genome of higher plants using a vector according to claim 1, followed by expression.

18. (New) The vector as claimed in claim 10, wherein the promoter is psbA promoter.

19. (New) The vector as claimed in claim 10, wherein the terminator is rps16 terminator.